

Notice of Allowability

Application No.

10/673,592

Examiner

Christy M. Green

Applicant(s)

COMMINS, ALFED D.

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/16/05.
2. ☒ The allowed claim(s) is/are 19-24 and 28-41.
3. ☒ The drawings filed on 29 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. John Pate on June 23, 2005.

Please amend the following claims:

19. (currently amended) A method for anchoring a wall of a building, the method comprising:

providing a first member and a second member spaced apart and oriented vertically to support a structure;

providing a hold-down having a first flange, a second flange, and a base, the base being spaced away from a supporting structure of the building and having an aperture to admit an anchoring device extending therethrough from the supporting structure of the building;

securing the first flange to the first support member;

securing the second flange to the second support member to stabilize the first and second support members;

admitting the anchoring device through the aperture in the base; and

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tightening a fastener on the anchoring device to load the first and second flanges in tension.

28. (currently amended) A method comprising:

selecting a wall having a first stud, a second stud spaced from the first stud, and an anchoring device extending between the first and second studs;

providing a hold-down having a first flange, a second flange, and a base, the base being spaced away from a supporting structure of the building and having an aperture extending therethrough; to admit an anchoring device extending therethrough from the supporting structure of the building;

admitting the anchoring device through the aperture in the base;

securing the first flange to the first stud;

securing the second flange to the second stud; and

tightening a fastener on the anchoring device to load the first and second flanges in tension.

40. (currently amended) A method comprising:

selecting a structure having a first support member, a second support member substantially parallel to the first support member and spaced therefrom, and at least one tie rod extending between the first and second support members;

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**providing a hold-down having a first flange, a second flange, and a base,
the base being spaced away from a supporting structure of the building and
having at least one an aperture extending therethrough; to admit an anchoring
device extending therethrough from the supporting structure of the building;**

admitting the at least tie rod through the at least one aperture in the base;

nailling the first flange to the first support member;

nailling the second flange to the second support member; and,

**tightening at least one fastener on the at least one tie rod to load the first
and second flanges in tension.**

Allowable Subject Matter

Claims 19-24 and 28-41 are allowed.

The following is an examiner's statement of reasons for allowance: within claims 19, 28 and 40, prior art does not disclose a method for anchoring a wall of a building comprising the steps providing a hold-down having a first flange, a second flange, and a base, the base spaced from the supporting structure of the building with an aperture having an anchoring device extending from the support structure of the building in combination with the step of tightening a fastener on the anchoring device to load the first and second flanges in tension.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christy M. Green whose telephone number is 571-272-6844. The examiner can normally be reached on M,T,TH 10:00-5:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cg

June 28, 2005


Naoko Slack
Primary Examiner